

Introduced by Senator Kuehl

February 18, 2005

An act to amend Sections 11254 and 11333.7 of, and to add Sections 11254.2 and 11331.6 to, the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 493, as introduced, Kuehl. Cal-Learn Program: schoolage teens.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the CalWORKs program. Under the CalWORKs program, each county provides cash assistance and other benefits to qualified needy children who meet specified eligibility criteria.

Existing law provides that recipients of aid under the CalWORKs program who are under 19 years of age, who are pregnant or custodial parents, shall be required to participate in the Cal-Learn Program, subject to the requirements that they participate in the program until earning his or her high school diploma or its equivalent, and participate in the program as a student attending school on a full-time basis. Existing law also provides for a supplement to, or a reduction in, a Cal-Learn participant's aid grant based on his or her performance in school.

This bill would authorize a CalWORKs recipient to receive aid during a transitional period of 6 months without participating in the Cal-Learn Program as a full-time student if the participant works with a Cal-Learn case manager to find an appropriate educational program and supports that meet the needs of the participant.

This bill would exclude recipients in the transitional period from provisions for providing supplements and reductions in the aid grant.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

By permitting a Cal-Learn Program participant to remain eligible for aid under the CalWORKs program without meeting existing requirements during a transitional period, the bill would constitute an appropriation.

Because each county is required to administer the CalWORKs program, including the Cal-Learn Program, and pay for a portion of CalWORKs aid grant and administrative costs, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Teens with a high school pregnancy are in need of special
- 4 supports, services, and assistance.
- 5 (b) Poor and low-income teens account for 83 percent of teens
- 6 that give birth. The Cal-Learn Program is designed to help
- 7 pregnant and parenting teenagers on welfare to complete high
- 8 school, by providing cash assistance, school supports, intensive
- 9 case management, and supportive services such as transportation
- 10 assistance and child care.
- 11 (c) Sixty percent of teens with a schoolage pregnancy drop out
- 12 of school at the point between the 8th grade and the 12th grade.
- 13 (d) Young women who become pregnant and teens tend to
- 14 have lower grade point averages, more school absences, and

1 more difficulties with schoolwork, even before becoming
2 pregnant, than their peers.

3 (e) Over one-half of parenting teens have been victims of
4 abuse.

5 (f) The Cal-Learn Program benefits teens by increasing their
6 chances of graduating from high school, achieving
7 self-sufficiency, and preventing long-term dependency on
8 welfare.

9 (g) Finding safe and appropriate housing is often difficult for
10 teenage parents and refusing to grant temporary aid and
11 assistance to teenage parents who are otherwise eligible for
12 Cal-Learn Program benefits and services is counterproductive to
13 the goal of ensuring that teenage parents live in appropriate
14 living situations.

15 SEC. 2. Section 11254 of the Welfare and Institutions Code is
16 amended to read:

17 11254. (a) Subject to subdivision (b), in the case of any
18 individual who is under the age of 18 years and has never
19 married, and who is pregnant or has a dependent child in his or
20 her care:

21 (1) The individual may receive aid under this chapter for the
22 individual and the child, if otherwise eligible, only if the
23 individual and child reside in a place of residence maintained by
24 a parent, legal guardian, or other adult relative of the individual
25 as the parent's, guardian's, or adult relative's own home, or in
26 another adult-supervised supportive living arrangement.

27 (2) The aid, where possible, shall be provided to the parent,
28 legal guardian, or other adult relative on behalf of the individual.

29 (b) Subdivision (a) does not apply in any of the following
30 circumstances:

31 (1) The individual has no parent or legal guardian of his or her
32 own who is living or whose whereabouts are known.

33 (2) No living parent or legal guardian of the individual allows
34 the individual to live in the home of the parent or guardian.

35 (3) It is determined by the child protective services worker that
36 the physical or emotional health or safety of the individual or
37 child would be jeopardized if the individual and child lived in the
38 same residence with the individual's own parent, legal guardian
39 or other adult relative.

(4) The individual lived apart from his or her parent or legal guardian for a period of at least one year before either the birth of any such child or the individual having made application for aid under this chapter.

(5) It is determined in accordance with federal regulations that there is good cause for waiving subdivision (a).

(c) (1) The individual may receive aid for a transitional period of up to six months without being required to live with a parent, adult relative, or legal guardian, or other adult-supervised arrangement, or to meet one of the exemptions in subdivision (b). During the transitional period, the individual shall be required to come into compliance with subdivision (a) or demonstrate that his or her living situation already meets the requirements of subdivision (a) or one of the exemptions in subdivision (b).

(2) The transitional period during which an individual may receive aid without being required to live with a parent, adult relative, or legal guardian or in an adult-supervised arrangement does not need to be consecutive or in the first six months during which the individual receives aid.

(3) During the transitional period, the individual shall be provided with all assistance, case management, and supportive services that he or she would otherwise be entitled to receive under this chapter and as specified in Article 3.5 (commencing with Section 11331).

SEC. 3. Section 11254.2 is added to the Welfare and Institutions Code, to read:

11254.2. (a) Each county CalWORKs district office shall designate at least one intake eligibility worker to process all teenage parent applications for aid.

(b) Each county shall provide annual training for each designated teenage parent eligibility worker to familiarize them with all aspects of the eligibility requirements and of regulations for the implementation of the Cal-Learn Program.

(c) Each designated teenage parent eligibility worker shall be trained to, and shall be capable to, do all of the following:

(1) Screen applicants for eligibility.

(2) Review applications for immediate need.

1 (3) Be familiar with all teenage parent eligibility requirements
2 and regulations for the implementation of the Cal-Learn
3 Program.

4 (4) Establish and maintain a working relationship with other
5 case managers in the Cal-Learn Program and with case managers
6 in the Adolescent Family Life Program under Article 1
7 (commencing with Section 124175) of Chapter 4 of Part 2 of
8 Division 106 of the Health and Safety Code, as specified in
9 Section 11332.5.

10 SEC. 4. Section 11331.6 is added to the Welfare and
11 Institutions Code, to read:

12 11331.6. (a) Any recipient of aid under this chapter may
13 receive aid during a transitional period of up to six months
14 without participating in the Cal-Learn Program as a student
15 attending school on a full-time basis as specified in paragraph
16 (2) of subdivision (a) of Section 11331.5 and without meeting the
17 exemption requirements of subdivision (c) of Section 11331.5 if
18 he or she meet the requirements of this section.

19 (b) During the transitional period specified in subdivision (a),
20 a recipient shall be required to comply with Section 11331.5
21 except the full-time attendance requirements of paragraph (2) of
22 subdivision (a) of Section 11331.5 or demonstrate that he or she
23 meets one of the exemption requirements of subdivision (c) of
24 Section 11331.5.

25 (c) The following shall apply to any teenage parent who
26 receives aid during a transitional period:

27 (1) The recipient may receive aid during the transitional period
28 during which he or she works with a Cal-Learn case manager, as
29 specified in Section 11331.5, to find an appropriate educational
30 program and supports that meet the needs of the recipient and his
31 or her dependent or dependents, or demonstrate that he or she
32 meets an exemption to participation specified in subdivision (c)
33 of Section 11331.5.

34 (2) The transitional period during which an individual shall be
35 provided with aid without being required to participate in the
36 Cal-Learn Program under Section 11331.5 need not be
37 consecutive months or the first six months that the individual
38 receives aid.

39 (3) During the transitional period, the individual shall be
40 provided all assistance, case management, and supportive

1 services that he or she would otherwise be entitled to under this
2 chapter or this article.

3 SEC. 5. Section 11333.7 of the Welfare and Institutions Code
4 is amended to read:

5 11333.7. (a) Any participant required to participate pursuant
6 to Section 11331.5, *except a teenage parent receiving aid during*
7 *a transitional period, as defined in Section 11331.6*, who
8 maintains satisfactory progress in school shall, not more than
9 four times in a calendar year, receive a one hundred dollar (\$100)
10 supplement to the amount of aid paid pursuant to Section 11450.
11 The supplement shall be paid to the assistance unit of which the
12 teenage parent is a member in the month following submission of
13 the report card, if received by the county no later than the
14 ~~eleventh~~ 11th calendar day of the month, or in the second month
15 following submission of the report card, if received by the county
16 after the ~~eleventh~~ 11th calendar day of the month.

17 (b) (1) Any participant required to participate pursuant to
18 Section 11331.5, *except a teenage parent receiving aid during a*
19 *transitional period, as defined in Section 11331.6*, who fails to
20 demonstrate that he or she has made adequate progress in school,
21 either by failing to provide the report card or based on the grades
22 on the report card, shall, not more than four times in a calendar
23 year, be subject to a sanction that shall be a reduction of one
24 hundred dollars (\$100) of the amount that would otherwise be
25 paid under Section 11450 apportioned equally over a two-month
26 period.

27 (2) (A) Participants, including, but not limited to, those
28 subject to sanctions, may seek to demonstrate good cause for lack
29 of adequate progress. If there is good cause for lack of adequate
30 progress the county shall either defer the participant from
31 program participation, or waive all or part of the sanction, or
32 both. Participants shall not otherwise be subject to conciliation
33 under Section 11327.4 and sanctions under Section 11327.5, and
34 shall be referred to case management services to determine the
35 causes of poor school performance and how it can be improved.

36 (B) For the purposes of this section, failing to make adequate
37 progress in school shall constitute good cause only when there is
38 a condition or other circumstances that substantially deprive the
39 participant of the ability to make adequate progress on the report
40 card or periodic progress report.

(c) Any participant required to participate pursuant to Section 11333.5 who successfully completes high school or a California high school equivalency examination shall receive a five hundred dollar (\$500) supplement. No assistance unit shall receive a one hundred dollar (\$100) supplement when a five hundred dollar (\$500) supplement for the same report card or progress report is paid. The five hundred dollar (\$500) supplement shall be paid to the teenage parent in the month following submission of the record of completion, if received by the county no later than the 11th calendar day of the month, or in the second month following submission of the record of completion, if received by the county after the 11th calendar day of the month.

(d) The sanction specified in subdivision (b) shall be applied only once per report card, not to exceed fifty dollars (\$50) in any single month, and shall be applied to the amount of aid paid to the assistance unit of which the teenage parent is a member pursuant to Section 11450. The participant shall submit a copy of the report card to the case manager within 10 working days of receipt of the report card.

(e) (1) For purposes of this section, in schools that provide periodic report cards with letter grades, satisfactory progress means maintaining a grade point average of at least 2.0 on a scale where A equals 4.0 points and F equals 0 points, and adequate progress means maintaining a grade point average of at least 1.0 on the same scale.

(2) For the purposes of this section, in schools or other educational programs that do not provide letter grades indicating student performance, satisfactory progress or inadequate progress shall be determined by the school's regular assessment of periodic progress.

(f) In cases where a participant is subject to a sanction pursuant to subdivision (b), case managers shall do all of the following:

(1) Fully inform teenage parents of the consequences of continuing to fail to comply with the program.

(2) Make reasonable efforts to reach teenage parents who they believe are in danger of continuing to fail to make satisfactory or adequate progress or not to attend school.

(3) Make reasonable efforts to secure a face-to-face meeting with a teenage parent before initiating a sanction.

1 (g) If a teenage parent fails or refuses to comply with program
2 requirements without good cause, the case manager shall again
3 inform the client of the consequences of not participating in the
4 program, and shall provide the teenage parent with the telephone
5 number and address of the local welfare rights organization or
6 legal aid society, should he or she need further assistance.
7 SEC. 6. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.